

**REGULAR MEETING OF THE
BRIGHAM CITY COUNCIL
OCTOBER 02, 2008**

PRESENT:	Lou Ann Christensen	Mayor
	Scott Ericson	Councilmember
	Reese Jensen	Councilmember
	Ruth Jensen	Councilmember
	Bob Marabella	Councilmember
ALSO PRESENT:	Bruce Leonard	City Administrator
	Rick Bosworth	Human Resource Coordinator
	Ben Boyce	Leisure Services Director
	Blake Fannesbeck	Public Works Director
	Paul Larsen	Economic Development Director
	Dennis Sheffield	Finance Director
	Paul Tittensor	Chief of Police
EXCUSED:	Bruce Christensen	Councilmember
	Mary Kate Christensen	City Recorder

Mayor Christensen called the meeting to order. The Reverence Period was given by Rick Bosworth. Mayor Christensen led the Pledge of Allegiance and presented the agenda as follows:

**PUBLIC COMMENT
CONSENT**

Request for Approval of Amendment to Six-Year Capital Improvement Plan for BRAG

SCHEDULED DELEGATION

Proclamation Declaring October 5-11, 2008 as Mental Illness Awareness Week

Proclamation Declaring October as Domestic Violence Month

Phase II Forest Street Road Project

NEW BUSINESS

Presentation and Adoption of an Ordinance Revising and Updating the Provisions Relating to the "Brigham City Recreation Commission"

Report on Employee Recognition Program

Request from West Corinne Water Company to Relocate and Upsize their Emergency Water Connection of the Wakegan Pipeline

UNFINISHED BUSINESS

Consideration for a Resolution Entering into a Culinary Water and Wastewater Development Agreement with Proctor & Gamble

Consideration for Adoption of Amended Interlocal Agreement with Box Elder County RDA

Amend the motion of August 21, 2008 for Approval of Ordinance to Regulate the Culinary Water and Sanitary Sewer Connections of the Wakegan Project

MAKING LIFE BETTER - DEPARTMENT REPORTS

OTHER BUSINESS

CLAIMS

Payment Register

MOTION: A motion was made by Councilmember Ruth Jensen to approve the agenda as amended. The motion was seconded and carried unanimously.

PUBLIC COMMENT

Katie Bond came forward and stated she is the Director of the Box Elder County Support Center. She came to talk to the Council about the Youth Empowerment Team and said it is very valuable to the community. She listed her observations of the program and how it impacts the community. It brings a shared vision and common goal to the community to come together in building a future for our youth. The Coalition, being a 501c3 nonprofit organization, makes it more attractive to entities who are willing to grant money. The Strengthening Families program looked at risk factors in the community and found there is a lot of family conflict in the community. She said the program is a way to address family conflict which turned out to be a

test bed of research for a college they work with. They are now being looked at by other universities as a vehicle to do research-based programs. The impact to the community has been a decrease in family conflict in our city and in the county. Ms. Bond said the Coalition works and thought it should continue to be built and improved.

CONSENT

Request for Approval of Amendment to Six-Year Capital Improvement Plan for BRAG

MOTION: A motion to approve the Consent Agenda item was made by Reese Jensen. The motion was seconded and carried unanimously.

SCHEDULED DELEGATION

Proclamation Declaring October 5-11, 2008 as Mental Illness Awareness Week

Pat Biggs and Marge Small from the National Alliance on Mental Illness for Box Elder County came forward with a proclamation for National Mental Health Awareness Week which is October 5-11, 2008. Ms. Biggs read the proclamation and asked the City Council to authorize Mayor Christensen to sign it.

MOTION: A motion was made by Councilmember Reese Jensen to authorize Mayor Christensen to sign the proclamation declaring October 5-11, 2008 as Mental Illness Awareness Week. The motion was seconded and carried unanimously.

Proclamation Declaring October as Domestic Violence Month

Annette McFarland from the YCU came forward and thanked the City Council for the opportunity and Mayor Christensen for all the support she gives the YCU. They receive a very generous donation from Brigham City every year which is used to help many women and children who go there in their times of trauma. Ms. McFarland stated that from July 1 through September 30, 2007 they served 20 adults for domestic violence related issues and three for incidents of stalking. Those served were 23 children, one for sexual abuse and one for physical abuse. In that same three-month period in 2008 they have seen 65 adults, 61 for domestic violence, four for rape or sexual assault and 19 for stalking. There were 103 children who came to their agency for help, 15 for physical abuse and seven for sexual abuse. They are concerned about the generational effects that domestic violence has. Ms. McFarland said the goal for the agency is to close their doors. She would like to live in a society where they do not have domestic violence and where children come home safe. She said they can do that with the help of Brigham City. She said their services, which they provide for free, would cost about \$6,000 for each person coming into their agency. Paulette Garren read the proclamation and asked Mayor Christensen to sign the proclamation. Their program addresses prevention as well as treatment. A program has been set up and incorporated in the Box Elder School District curriculum for grades 2, 4, 6, 9 and 11. They see about 10,000 school children each year.

MOTION: A motion was made by Councilmember Scott Ericson to direct Mayor Christensen to sign the proclamation declaring October as Domestic Violence Month. The motion was seconded and carried unanimously.

Phase II Forest Street Road Project

Bob Barrett, Refuge Manager, came forward and stated that the road will facilitate interaction with wildlife resources. He said Phase I of the road project has been initiated and is moving forward. Pavement is expected to be on the ground before frost prevents them from doing that. Phase II will go back to back with Phase I so there will not be a gap in construction. There may be two more closures to the refuge in the summer of 2009 and possibly 2010 due to safety issues, which will be coordinated with the City and County. The project is scheduled to be completed by 2010 but may be delayed until 2011. There are approximately 11 million dollars left for Phase II with a possible addition of three more million dollars in the next fiscal year, which is felt to be adequate to complete most of the road projects. One of the additives to the road project is a continuation of a bike trail which would be a benefit for people to visit the refuge. An increase in visitors is attributed to the billboards along the interstate. There is also a large international visitor attendance.

NEW BUSINESS

Presentation and Adoption of an Ordinance Revising and Updating the Provisions Relating to the "Brigham City Recreation Commission"

Ben Boyce, Leisure Services Director, came forward and stated the Recreation Commission has asked that the City Council consider an ordinance update to reflect what they are actually doing which is Park and Recreation Commission requiring assistance, by ordinance, from the Parks Supervisor in helping them fulfill their charge by the Council. This will bring the old Recreation Commission Ordinance in line with the current structure and function of the City. The summer months are too busy to meet unless there is a special need.

MOTION: A motion was made by Councilmember Reese Jensen to approve the ordinance revising and updating the provisions relating to the Brigham City Recreation Commission. The motion was seconded by Councilmember Ericson and carried unanimously.

Report on Employee Recognition Program

Sharon Brailsford, Executive Secretary, presented some history on the Employee Recognition Program and discussed the current program. Councilmembers, Directors and Supervisors are given on-the-spot cards every other payday. An on-the-spot card is an instantaneous reward given to an employee and a statement is written on the back of the card stating why that employee is being recognized. Employees will also go to their supervisors to suggest giving other employees an on-the-spot card for things they have seen them do. Once a month the cards are drawn for four employees by the Employee Coordination Committee (ECC) to receive a \$25 gift certificate for a fuel card or dinner at Maddox.

Citizens, Elected Officials, Supervisors, Coworkers, and the Mayor can nominate people for the Mayor's Award. This award gives employees a day off with pay; full-time employees get 8-hours off and part-time employees get a day off comparative to the hours they work. In addition to the award certificate, a written statement is also included of why that person was nominated. The Mayor's awards are very appreciated and the number of awards varies as there are individual and team awards.

Ambassador awards are selected twice a year and are selected from the Mayor's Award by the Mayor and the City Council. There is no quota as to how many awards are given and the Mayor has discretion in giving these awards; she has declined some nominations as an employee must go above and beyond the required duties of their regular job to receive this award. Councilmember Ruth Jensen suggested that a supervisory checklist be made to track the awards given to employees by department.

The City Safety award is an awareness to the employees to be mindful of safety and is given every quarter in the form of a \$10 fuel card to those who have not had any accidents. The Risk Management Committee, which administers the safety program, was asked if the reward had been beneficial. Some of the Departments suggested they would like to have a dinner instead of the fuel cards so provisions have been made in the new policy for departments to decide what they want to do; which will be done on a semiannual basis instead of every quarter. Currently, this award is given to the whole city but it was felt that if the money for each quarter, for each department employee that is not involved in an accident, is put into a fund for the departmental dinner, deducting the funds of those employees involved in accidents, it would create a little competition and more awareness.

There was not a way to recognize the paid on-call people, fire and ambulance, because they do not have a structured work schedule so a Special Service award has been set up for them and they can be included in the selection of the Ambassador award.

Two employees have received the Demonstrated Cost Savings award in the amount of \$5000 each. Jolene Crockett for submitting an ongoing substantial cost savings plan for the City cell phones and Claire Edmondson for submitting an ongoing substantial cost savings plan for the meters. There are also one-time projects that are awarded \$100 on a case-by-case basis.

Ms. Brailsford said she spoke to the ECC and they thought the awards programs were good and would like to see them continue. They thought there should be some training on the supervisory level to get more awards out to the employees.

The summer City party is managed by the ECC. All attending employees receive a gift and funding for the gifts is determined by how much money is spent on food.

Request from West Corinne Water Company to Relocate and Upsize their Emergency Water Connection of the Wakegan Pipeline

Blake Fonnesebeck, Public Works Director, came forward to present this item. The West Corinne 3-inch connection needs to be moved which is by the airport entrance. That connection mostly serves West Corinne and does not have much benefit for Brigham City. He said it is preferable to have emergency connections that are beneficial both ways. West Corinne has requested to put this 8" connection in a better location which would put it much closer to Proctor & Gamble and will be more centralized to their system providing them with a better way to serve their system. As it is currently, it only serves a portion of their system. It has been evaluated and found to be a benefit for Brigham City. As West Corinne is connected to the Bear River Water Conservancy (BRWC), Brigham City could wheel its own water through the BRWC over to West Corinne if needed. It will provide a good redundant system and the ability for Brigham City to respond and still provide water to Proctor & Gamble if something happened to the Wakegan line for a period of time.

MOTION: A motion was made by Councilmember Reese Jensen to approve the relocation and upsizing of the emergency water connection of the West Corinne Water Company and the Wakegan pipeline. The motion was seconded and carried unanimously.

UNFINISHED BUSINESS

Consideration for a Resolution Entering into a Culinary Water and Wastewater Development Agreement with Proctor & Gamble

Dennis Sheffield, Finance Director, came forward to present this item and combined the discussion of this item with the following item as they are interrelated and through all the negotiations the resolution was changed to make one resolution to adopt the Interlocal Agreement between the Box Elder County RDA and Brigham City and to adopt the culinary water and waste water infrastructure development agreement between Brigham City and Proctor & Gamble (P&G). He said they have been done, reviewed and approved by the City and P&G attorneys. The Councilmembers reviewed the updated documents. The timing requirements were explained. One of the requirements for the County RDA in creating the economic development area in which the P&G site is located is that if there is a tax increment generated of more than \$100,000 a year and given to the RDA then the County is required either to use 20% of that for moderate and low income housing needs within the county or to seek a waiver from the taxing entities that levy the tax and the Olene Walker Housing Loan Fund board (OWHLF). A waiver application has been filled out for the OWHLF and a meeting has been set to seek that waiver because there is adequate low income housing in Box Elder County. All indications are that the waiver will be received and will be a benefit and provide comfort to P&G as they will receive their full incentive which will allow them to move forward and sign these agreements and close on the bonds which will pay for the construction. P&G realizes that if they do not sign the agreements, construction will be stopped.

In the agreement between Brigham City and Proctor & Gamble, P&G agreed to the tax increment requirements and also agreed that if they did not create the tax increment to pay the annual bond payments, they will come up with the difference to make that payment so they are fully secured and not dependant on the tax increment, which is in the culinary water and waste water development agreement.

Councilmember Reese Jensen clarified that the City's legal counsel, financial counsel, bond counsel, and City Administrator were all okay with this and Mr. Sheffield agreed that they were.

MOTION: A motion was made by Councilmember Reese Jensen to adopt the amendment of the Interlocal Agreement between Box Elder County RDA and Brigham City and to adopt the culinary water and waste water infrastructure development agreement between Brigham City and Proctor & Gamble. The motion was seconded by Councilmember Scott Ericson and carried unanimously.

Consideration for Adoption of Amended Interlocal Agreement with Box Elder County RDA

See previous item and motion.

Amend the motion of August 21, 2008 for Approval of Ordinance to Regulate the Culinary Water and Sanitary Sewer Connections of the Wakegan Project

Blake Fannesbeck, Public Works Director, came forward to present this item. There was a mistake in adding the sewer connections in this and the motion that had been originally made was an ordinance to regulate culinary water and sanitary sewer connections to the Wakegan utility pipelines. That ordinance needs to be rescinded and an ordinance approved providing regulations for the connection to and use of culinary water through City owned pipelines which would make it clear for the water line. An ordinance could be put together dealing with the sanitary sewer and brought to the Council. Mr. Fannesbeck said that in talking to Kirk Morgan the two could not be tied together and they need to be in separate ordinances as there are differences in the water and sewer; the water is a finite source and the sewer has many more options.

MOTION: A motion was made by Councilmember Ericson to rescind the ordinance that regulated culinary water and sanitary sewer as one ordinance. The motion was seconded and carried unanimously.

MOTION: A motion was made by Councilmember Ericson to pass an ordinance providing regulations for connection to and use of culinary water through City owned pipelines. The motion was seconded and carried unanimously.

MAKING LIFE BETTER - DEPARTMENT REPORTS

Blake Fannesbeck, Public Works Director, reported that the railroad closure on 300 North is complete and is permanently closed. The Railroad representative said they want to be a good neighbor and keep it looking good especially at the entrance to the community so they cleaned it up. The Railroad representative said they will make adjustments to their schedules to try and not be there as long during rush hour times and have the closure be of a shorter duration. UDOT and the Railroad have signed the agreements but are still negotiating the language for the electronic switch.

Tree trimming is still being done and some City crews are working in conjunction with a contractor to keep costs down. The final portion of the money the Council budgeted for the capital project is being used to take care of areas with Sycamores and other trees that are having problems. A proposal will be made for an amount each year to maintain the urban forest and keep it up. He said he would like to keep the tree trimming on a rotating schedule. The Main Street planter boxes get somewhat rootbound and every couple of years they will be taken care of. The City Forester has some ideas on that.

The Box Elder Creek restoration project is complete. He displayed photos showing portions of the completed work. The permits from the Army Corps of Engineers were not received until September 7. The headworks at Mantua Reservoir was contracted with Whitaker Construction and they were able to get that done in time and the City crews did the remainder of the work which included employees from all the different Divisions of Public Works. An extension on the funding was not obtained. There was also money obtained from the State to do repairs along 600 North because of the damage and a guardrail will be put along that stretch of road. Because of the time constraints, funding, and the deadline, they were not able to get to everything on the creek so the focus was on the worst areas of erosion that posed the most potential problems for future flooding and those were the things that were taken care of.

The headworks is where it all begins and is where water will be diverted over to the Mantua Reservoir. The debris basin is deep to catch the debris allowing the water to go into the gate system to be directed to Mantua or downstream. Other flood control measures have been implemented in how the water going to Mantua or downstream is regulated and planned, including watching the snow pack throughout the winter. Mr. Fannesbeck said they will be trying to put together some capital projects to get rid of a few of the bottlenecks that are along the ditch that goes to the reservoir so a full ditch can be taken as well as diverting as much water as possible over to the reservoir, which is an excellent way of controlling flooding. Mr. Fannesbeck commented that an additional benefit of the project was to be able to use the reorganized Public Works group

of employees in a teamwork setting doing things that they did not know they could do and he said they can do some amazing things.

Councilmember Reese Jensen commented that the city had gone above and beyond to take preventive measures to ensure that flooding does not happen again.

Paul Larsen, Economic Development Director, reported that they are ready to go with the Nutech symposium which is free to the public. He said they have a really good program put together and there is a wide variety of seminars on topics that are relevant to the general public as well as businesses. This was marketed heavily, Utah Business magazine had an email blast and a website banner that they ran which received the highest number of hits of anything they had running on their email blast. Advertisements were also put in the local papers. Some of those involved in planning this included the School District, USU, Bridgerland Applied Technology College, Bear River Chamber, and Tremonton City. The FBLA groups from Bear River and Box Elder High Schools were also involved. From some of the comments from a number of the vendors and presenters, it was thought that this may be an annual event. Mr. Larsen commented that depending upon the response, this may be something that may be repeated occasionally.

OTHER BUSINESS

Mayor Christensen commented that there is a meeting scheduled to receive input on the Ruby Pipeline which is the same day as a Council meeting. Bruce Leonard, City Administrator, came forward and stated that the Ruby Pipeline representative met with Blake Fannesbeck, Tyler Pugsley and Jim Buchanan up above the Flat Bottom Canyon Springs. One of the concerns listed in the initial letter to Ruby Pipeline was that they were showing they would come down through our spring sources. Mr. Fannesbeck said they were originally going to come down on the north side of Flat Bottom where the drainage is and they have realigned it around the south side, down and around the Flat Bottom Canyon bore hole and well area that will be developed, then down below and across. The Ruby Pipeline will go along the mountainside just above the proposed new Rocky Mountain Power line and will follow that all the way north to just past the Kotter Canyon development and then cut across and go down from there. They would have the option to put whatever they want within the 150-foot right-of-way corridor with Rocky Mountain Power only if they purchased the land, not if they just own an easement. They do not have the power of eminent domain to take the property, they can only acquire an easement through eminent domain.

Mr. Leonard said the concerns he raised in the letter he originally sent to Ruby Pipeline were on seismic and water quality which are listed as environmental concerns. He said they should probably have their concerns incorporated into the Environmental Impact Statement (EIS) document. The determination will be made based on the comments or written information provided. Councilmember Ericson commented that he thought it would be irresponsible if they did not send a letter asking them to pick a route going through Idaho. Mayor Christensen commented that Cache Valley opposed it and Paul Larsen had written a resolution in opposition to it when it first came out. Councilmember Ericson suggested approving the letter on the 16th and submitting it straight to FERC rather than sending it to the meeting. Councilmember Reese Jensen said he did not particularly have any concerns providing that the Staff's concerns are being properly addressed which it sounded like they were. Mr. Leonard said they need to make sure those concerns are incorporated into the EIS. Mayor Christensen said one of her concerns is that it is a 42-inch pipe that will sit right by the earthquake fault. They are built to withstand some movement and there have been reassurances that it will bend. There are some safety measures built in such as an automatic shutoff.

CLAIMS

Payment Register

Councilmember Marabella moved to approve Claims for September 23, 2008 in the amount of \$185,650 and September 30, 2008 in the amount of \$118,234.44 and October 1, 2008 in the amount of \$49883.92. The motion was seconded and carried unanimously.

A motion to adjourn was made by Councilmember Reese Jensen. The motion was seconded and carried unanimously. The meeting adjourned at 8:52 p.m.